

US Serial No.: 09/830,306

REMARKS

The present paper is in response to the Official Action dated June 14, 2005, wherein the Examiner rejected pending claims 1, 3, 4, 6, 7, 11-13, 15, 16, 18, 19 and 23-30, as being unpatentable over Nahumi, US Patent No. 5,699,478, in view of one or more of Zingher, US Patent No. 6,092,039, and de Souza et al., US Patent No. 5,884,261. The Applicants note with appreciation, the Examiner's indication that claims 9, 10, 21 and 22 contain allowable subject matter, and are only objected to, to the extent that they are dependent upon a rejected base claim.

While the Examiner has attempted to suggest that claims 1, 3, 4, 6, 7, 11-13, 15, 16, 18, 19 and 23-30, are unpatentable over Nahumi, '478, in view of one or more of Zingher, '039, and de Souza et al., '261, contrary to the assertions of the Examiner, irrespective of whether one skilled in the art would have been motivated to combine the references as suggested by the Examiner, even if one were to attempt to combine the references, the combination of references would still fail to make known each and every feature of the claims. More specifically, neither Nahumi, '478, nor any of the other cited references minimally makes known or obvious the replacement of one or more speech recognition parameters in the identified group of vectors (i.e. vectors which have undergone a transmission error, wherein the replacement parameter comes from a received vector without error, where the speech recognition parameters are arranged in vectors corresponding to sampling time-frames).

In Nahumi, '478, the parameters, which are utilized for replacement involves redundant information, which is transmitted as an additional parameter in a frame subsequent to the missing frame (col. 6, lines 64-66). In other words, the frames include parameters, which correspond to more than one sampling time-frames. Or stated another way, in Nahumi, '478, the replacement parameters, do not come from a preceding and/or following vector without error, which would correspond to a preceding and/or following sampling time frame. Consequently, at least with respect to claims 1, 3, 4, 6, 7, 11-13, 15, 16, 18, 19 and 23-26, Nahumi, '478, minimally can not be said to make known or obvious at least this feature, and therefore can not be said to make known or obvious the claims as presently pending.

Furthermore, it is not clear that it would be obvious to combine the teachings of the two references, as suggested, where Zingher, '039, is expressly concerned with the communication of speech information, in the form of a narrow-band channel (i.e. expressly avoiding the use of a

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wide-bandwidth speech signal). In such an instance, it is doubtful one skilled in the art would have been motivated to have combined such a reference, with a reference that teaches the inclusion of redundant information, as provided by Nahumi, '478. The incorporation of redundant information appears to be directly at odds with a movement away from a communication of a wide-bandwidth signal (abstract, lines 14-15), and towards a more narrow band compatible representation. Consequently, contrary to the assertions, a motivation to combine has not been established simply by an assertion that the two references are directed to analogous art, where the teachings of one of the references appears to counsel against such a combination. It is specifically noted, that all of the presently articulated rejections currently rely upon such a combination, and therefore the appropriateness of the present rejections have not yet been established.

The applicants would contend, that the claims are allowable over the prior art of record for the reasons noted. The applicants would request that the Examiner reconsider and reexamine the claims in view of the above noted reasons. Allowance of the application is respectfully requested.

In the event, that there are any remaining unresolved issues precluding the issuance of the present application after consideration of the present response, before issuing a further rejection, the Examiner is respectfully requested to contact the applicants' agent at the below listed number to discuss the same.

Respectfully submitted,

BY: Lawrence J. Chapa
Lawrence J. Chapa
Reg. No. 39,135
Phone (847) 523-0340
Fax. No. (847) 523-2350

Motorola, Inc.
Mobile Devices
Intellectual Property Department
600 North US Highway 45, RM AS437
Libertyville, IL 60048